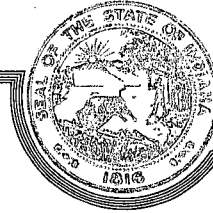


STATE OF INDIANA

DIVISION OF STATE COURT ADMINISTRATION



SUPREME COURT

RANDALL T. SHEPARD, CHIEF JUSTICE

LILIA G. JUDSON, EXECUTIVE DIRECTOR
DAVID J. REMONDINI, CHIEF DEPUTY EXECUTIVE DIRECTOR

30 SOUTH MERIDIAN STREET SUITE 500
INDIANAPOLIS, IN 46204-3568
(317) 232-2542
FAX (317) 233-6586
www.IN.gov/judiciary

November 24, 2009

Mr. Myron Rainey
Lawrence County Clerk
Courthouse
916 15th Street, #31
Bedford, Indiana 47421

Dear Mr. Rainey:

Thank you for your request for approval to post non-confidential court information for your courts on the Internet. I am pleased to let you know that your request is approved contingent on the conditions set forth below. This approval is administrative in nature and is granted under the provisions of Trial Rule 77(K).

1. You are authorized to post non-confidential party, attorney, case number and CCS information on the Internet. Should you decide to make any changes to what you propose to post, you must seek and obtain specific approval for such changes.
2. You must provide a copy of this approval letter to each judge of a court of record in your county.
3. Approval of this request to post information on the Internet in no way reduces the obligation of the clerk and court to make non-confidential court information available to the public through traditional means in response to in-person and telephone inquiries.
4. You, the judges in your county, and any other county entity involved in technology services for court records are responsible for taking reasonable steps to ensure that Administrative Rule 9, as well as all other applicable state and federal laws are followed, including without limitation those laws pertaining to confidentiality.
5. Your contract with your case management vendor and the Internet services provider must comply with requirements of Administrative Rule 9(K).¹

¹ Administrative Rule 9(K) provides:

6. Your contract with your vendor must explicitly make it clear that all information and data remain the property of the court, and any use of the data other than as specified by this authorization, is prohibited. No court data will be sold, licensed, or otherwise made available to any other entity for any other purpose.
7. You must conduct periodic audits of the data being provided over the Internet in order to assure compliance with this approval, Administrative Rule 9 and other relevant laws.
8. You must assure that the display on the Internet will provide appropriate advice and/or disclaimer to users about the non-official status of the information displayed on the Internet.
9. Counties whose County Board of Commissioners have adopted an electronic system fee to be charged in conjunction with public access to court records must have the fee approved by the Division, and the method of the fee's collection, deposit, distribution and accounting must be approved by the Indiana State Board of Accounts (See Administrative Rule 9(E)).
10. The Division of State Court Administration will be collecting information from clerks and courts that provide information over the Internet to report on matters related to the posting of court records, including the number of subscribers, fees collected and any security breach issues that have arisen. This report will be required as part of the renewal process.
11. The Supreme Court and the Division of State Court Administration reserve the authority to make changes to the approval process and to the rules governing both the approval and the posting of information. Any contractual arrangement should reflect acknowledgment of this authority.

(K) Contracts With Vendors Providing Information Technology Services Regarding Court Records.

- (1) If a court or other private or governmental entity contracts with a vendor to provide information technology support to gather, store, or make accessible court records, the contract will require the vendor to comply with the intent and provisions of this access policy. For purposes of this section, the term "vendor" also includes a state, county or local governmental agency that provides information technology services to a court.
- (2) Each contract shall require the vendor to assist the court in its role of educating litigants and the public about this rule. The vendor shall also be responsible for training its employees and subcontractors about the provisions of this rule.
- (3) Each contract shall prohibit vendors from disseminating bulk or compiled information, without first obtaining approval as required by this Rule.
- (4) Each contract shall require the vendor to acknowledge that court records remain the property of the court and are subject to the directions and orders of the court with respect to the handling and access to the court records, as well as the provisions of this rule.
- (5) These requirements are in addition to those otherwise imposed by law.

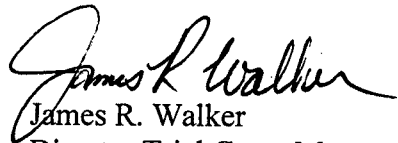
12. Prior to this approval, vendors transferring court data to their own servers as part of the posting process executed and filed with the Division of State Court Administration a User Agreement for Bulk Distribution of Data, form TCM-AR9(F)-1, and a Request for Bulk Data/Compiled Information, form TCM-AR9(F)-4. If any changes occur during the year, both documents must be amended.

13. All vendors receiving bulk data transfers, including transfers for the purpose of posting court records in accord with T.R. 77(K), must fill out form TCM-AR9(F)-3, which is a Distribution Receipt form for bulk data distribution. This form is filed with the Division of State Court Administration within 30 days of the first distribution under the new agreement.

14. This approval expires on **January 31, 2010**. Renewal requests should be made using a form provided by the Division of State Court Administration, and should be made at least 10 days prior to the expiration of this approval.

Please feel free to contact me should you have any further questions or should you need any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "James R. Walker". The signature is fluid and cursive, with the first name "James" and last name "Walker" clearly distinguishable.

James R. Walker
Director Trial Court Management



**Indiana Supreme Court
Division of State Court Administration
Trial Rule 77(K) Request Checklist**

Before you mail your Request to Post Court Information on the Internet, please check that the following documents are included:

- ☒ Yes Copy of the current Consent of the Judges for posting the records under Trial Rule 77(K), *required*.
(Consent must be updated with every renewal request.)

- ☒ Yes Copy of samples of web pages or screen-prints, *required*.

- ☒ Yes ☐ N/A Copy of the agreement between the Court or Clerk and any outside Vendor, if applicable.

- ☒ Yes ☐ N/A Copy of the User Agreement for Bulk Distribution of Data executed by the Division of State Court Administration and the Vendor, if applicable.

- ☐ Yes ☒ N/A Copy of any documentation with respect to compliance with the State Board of Accounts and the revenue accounting methods, if applicable.

- ☒ Yes ☐ N/A Copy of any subscriber agreements provided by the Court, Clerk or Vendor, if applicable.

Division of State Court Administration Use Only

Date Request Received 10 / 28 / 2009
 Required Documents Attached? ☐ Yes ☐ No AR9(F)-1 _____
 Reviewed by: _____ Recommendation: _____
 Approved: ☐ Yes ☐ No Date of Decision: ____/____/____
 Approved/Disapproved by: _____



Indiana Supreme Court
Division of State Court Administration
Request to Post Court Information on the Internet
under Trial Rule 77(K) – Initial Request

You must complete this form prior to posting court information on the Internet.

Important Notes: A vendor who accesses court information under this request must execute a Bulk Data User Agreement with the Division of State Court Administration under Administrative Rule 9 before this request may be approved and before any court information may be released to that vendor.

If a vendor is used, the Division will not approve any request that is not accompanied by a copy of the agreement between the clerk and the vendor, which agreement must include provisions requiring the vendor to report any breaches of security and/or any unauthorized release of confidential information bi-annually, and providing for an annual audit, at vendor expense, of revenues generated by the contract.

For questions related to this form, please contact Kristin Donnelly-Miller. All materials should be submitted to the Division of State Court Administration, Attn: Kristin Donnelly-Miller, 30 South Meridian Street, Suite 500, Indianapolis, IN 46204, or by fax to (317) 233-6586.

County: Lawrence Date of Request: 10 / 27 / 2009
Clerk: Myron Rainey Vendor* (if any): Doxpop, LLC
*See Important Notes above

Requestor Name: Myron Rainey Phone Number (812) 275-4145

Requestor E-Mail Address: mrainey@lawrencecounty.in.gov

Requestor Address:

Courthouse
916 15th Street, #31
Bedford, IN 47421

Requestor Office/Position/Title: Clerk of Circuit Court

Section 1- For New Postings:

4. ☐ Other (please describe access):

I. Will your system require users to subscribe or register? ☒ Yes ☐ No

(Not all users—unregistered users may obtain limited information.)

If no, skip to Question J. If yes, please attach the subscriber agreement to this document, and answer the following questions:

1. Is there a cost for subscription? ☒ Yes ☐ No If yes, how much? \$ Cost is based on search plan level—Please see the attached fee schedule, Attachment 4.

2. What information may a **subscriber** obtain electronically? See Appendix.

3. Is there an additional cost for **subscribers** to access specific records?
☐ Yes ☒ No If yes, how much is the cost to **subscribers**? \$ _____ and how is it assessed (per record, per search, etc.)? _____

J. Can the **general public** access specific case records? ☒ Yes ☐ No

1. What information may the **general public** obtain electronically? See Appendix.

2. Is there an additional cost for the **general public** to access specific records?
☐ Yes ☒ No If yes, how much is the cost to the **general public**? \$ _____ and how is it assessed (per record, per search, etc.)? _____

K. How will the clerk/court monitor subscriber/vendor relations? Who is responsible for audits and oversight and how often are audits reported to the courts? See Appendix.

L. What means will be used to terminate access if a subscriber or vendor misuses or violates the agreement, who will implement the termination, are there other consequences besides termination of access (list any), and are there any safeguards in place to prevent misuse of the system?
See Appendix.

M. What information do you plan to include on your site? (Choose all that apply)

General	Subscriber
Public	Only
Access	Access

<input type="checkbox"/>	<input type="checkbox"/>	Courthouse Information (driving directions, parking, etc.)
<input type="checkbox"/>	<input type="checkbox"/>	Court Information (address, phone numbers, general hours, etc.)
<input type="checkbox"/>	<input type="checkbox"/>	Judge Information (biographical, jurisdiction, etc.)
X	X	Index
<input type="checkbox"/>	X	CCS
<input type="checkbox"/>	<input type="checkbox"/>	RJO
X	X	Court Calendar
<input type="checkbox"/>	<input type="checkbox"/>	Printable Forms
<input type="checkbox"/>	<input type="checkbox"/>	Self-Help Information
<input type="checkbox"/>	<input type="checkbox"/>	Other (please describe below)

If you selected "other", please describe: _____

N. How often will the site be updated and by what means (vendor or court/county staff)?
See Appendix. _____

O. In addition to confidential information under Administrative Rule 9, is there particular information that will be redacted or that will not otherwise be available to the **general public**? X Yes ☐ No

Describe: **See Appendix.** _____

P. In addition to confidential information under Administrative Rule 9, is there particular information that will be redacted or that will not otherwise be available to **subscribers**? X Yes ☐ No

Describe: **See Appendix.** _____

Q. Is the court's case management system web-based or will the information be transferred to a vendor's server?

Please explain: **The information is transferred to Doxpop's server for Internet publication.** _____

R. Please describe, in detail, what kind of security process will be used to safeguard court information that is posted to the Internet, as well as the court information/case

management system on the court's own server, e.g., firewall, redundant back up:
See Appendix.

S. Please provide details on your plan and/or procedure for updating the site, including the individual(s) responsible for checking information posted to the Internet, how frequently the information is reviewed, and how often updates to the web site are reported to the courts for approval of the updates: _____

See Appendix

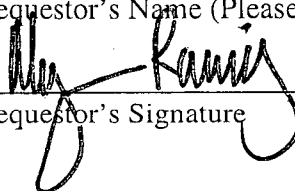
Section 2 – Required For All Requests
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ATTACHMENTS: Please attach the following to this request:

1. Copy of the Consent of the Judges for posting the records under Trial Rule 77(K).
2. Copy of samples of web pages or screen prints.
3. Copy of the agreement between the Court/Clerk and any outside vendor, if applicable.
4. Copy of the Vendor Bulk Data Distribution Agreement executed by the Division of State Court Administration and the Vendor, if applicable.
5. Copy of any documentation with respect to compliance with the State Board of Accounts and the revenue accounting methods, if applicable.
6. Copy of any subscriber agreements provided by the Court or Vendor, if applicable.
7. Document Submission Checklist (Attach to the front of your request.)

I hereby certify that the abovementioned information is accurate and complete, and that all information will be posted in compliance with Trial Rule 77(K) and Administrative Rule 9.

Myron Rainey
Requestor's Name (Please Print)


Requestor's Signature

Clerk of Circuit Court

Requestor's Title

10.27.2009
Date

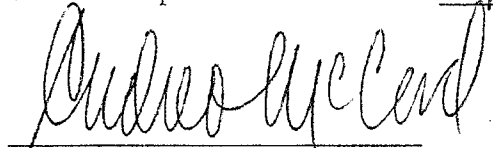
Attachment 1

Copy of the current Consent of the Judges for posting the records under Trial Rule 77(K), required.

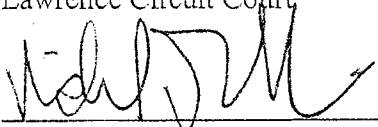
**Lawrence County
Order of Consent for
Electronic Posting of Court Records**

Pursuant to Trial Rule 77 of the Indiana Rules of Procedure, the Lawrence County Circuit Court hereby consents to the electronic posting of court records and orders the Clerk of Circuit Court to seek the permission of the Division of State Court Administration for such posting using the software and services of Doxpop.

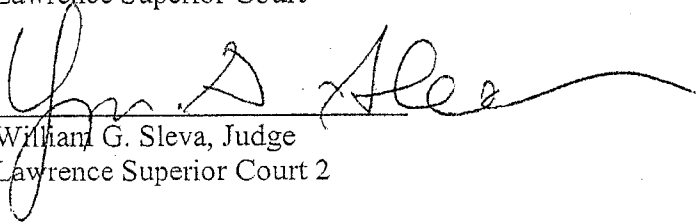
Ordered adopted and effective this 15th day of October, 2009.



Andrea K. McCord, Judge
Lawrence Circuit Court



Michael A. Robbins, Judge
Lawrence Superior Court



William G. Sleva, Judge
Lawrence Superior Court 2